THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.20232 OF 2005

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Dt: 14.09.2005

Between:

B.S.S.B. College Committee

Tadikonda, Guntur District

& 2 others.

.. Petitioners

AND

State of Andhra Pradesh, rep., by its

Secretary to Govt., Higher Education Dept.,

Hyderabad & 2 others.

.. Respondents

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ORDER:

The petitioners are challenging the inaction on the part of the Government in disposing of the review filed by them. The 1st petitioner society has established Educational Institutions at Tadikonda of Guntur District. There are long standing disputes between the rival groups as to the right to manage the institutions. The 3rd petitioner was elected as Secretary and Correspondent of the institutions. One D.

Sambasiva Rao, carried the matter in appeal before the Government. Through its order in G.O.Rt.No.263, dated 12.04.2004, the Government had set aside the election of the 3rd petitioner as Secretary and Correspondent.

Complaining that the Government did not issue any notice to him before his election was set aside, the 3rd petitioner initially filed a writ petition, and thereafter, a review before the Government. On realizing that the 3rd petitioner was not issued a notice, the Government decided to set aside the order in G.O.Rt.No.263, dated 12.04.2004. However, they committed the same mistake while passing orders in G.O.Rt.No.466, dated 29.07.2004, setting aside the order in G.O.Rt.No.263, by not issuing notice to the 3rd respondent. The latter in turn, filed W.P.No.15873 of 2004. Through its judgment, dated 13.09.2004, this Court had set aside the orders in G.O.Rt.No.466, dated 29.07.2004, and directed the Government to dispose of the review afresh.

The grievance of the petitioners is that the review has not been disposed of as yet. Another grievance of the petitioners is that even while the review as well as certain suits, challenging the validity of the amendment to byelaws, are pending, the 3rd respondent proceeded with the election to the management committee. Directions are sought in respect of both aspects.

Heard the learned counsel for the petitioner and the learned Government Pleader for Higher Education.

The review filed by the petitioners herein was initially allowed by the Government through its order in G.O.Rt.No.466, dated 29.07.2004. That order came to be set-aside in W.P.No.15873 of 2004 on the sole ground that the affected party was not heard. One year had elapsed, since this Court passed the order.

Having regard to the nature of dispute and the tenure of offices, the review must have been disposed of long back. Hence, the writ petition is disposed of directing the 1st respondent to pass appropriate orders in the review filed by the petitioners

herein against the order in G.O.Rt.No.263, dated 12.04.2004, within two months from today, after hearing all the concerned parties.

So far as the relief in relation to election is concerned, this Court is not inclined to grant any relief, inasmuch as the elections are said to have been held on 12.09.2005. This order, however, does not preclude the petitioner from moving appropriate application in the pending suits for necessary relief. There shall be no order as to costs.

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14.09.2005

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